

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ELETSON HOLDINGS INC. and ELETSON
CORPORATION,

Cross-Respondents,

-v-

LEVONA HOLDINGS LTD.,

Cross-Petitioner,

and

APARGO LIMITED, FENTALON
LIMITED, and DESIMUSCO TRADING
LIMITED,

Intervenors.
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23-cv-7331 (LJL)

ORDER


LEWIS J. LIMAN, United States District Judge:

Cross-Petitioner Levona requests that the Court issue an order “memorializing” that the Award has been suspended as contemplated in New York Convention Article V(1)(e). Dkt. No. 374. It invokes Section 12 of the Federal Arbitration Act (“FAA”), 9 U.S.C. § 12, and the All Writs Act, 28 U.S.C. § 1651. *Id.* Section 12 of the FAA addresses motions to stay proceedings to enforce an award. It is not applicable here. The All Writs Act, 28 U.S.C. § 1651, authorizes a federal court “to issue such commands . . . as may be necessary or appropriate to effectuate and prevent the frustration of orders it has previously issued in its exercise of jurisdiction otherwise obtained.” *Pennsylvania Bureau of Correction v. U.S. Marshals Serv.*, 474 U.S. 34, 40 (1985) (quoting *United States v. New York Telephone Co.*, 434 U.S. 159, 172 (1977)). Intervenors represent that they are in the process of dismissing the Greek proceeding without prejudice and

that the UK proceeding also will be dismissed. Dkt. No. 419. The Court's preliminary injunction order of June 2, 2025, requires Intervenor and their privies, including Eletson Gas LLC, to inform the Court of any future foreign proceedings seeking to confirm and/or enforce the Award. Dkt. No. 407. Levona has not at this time made a sufficient showing that the Court need take any action other than those it has taken to preserve its jurisdiction. The request for an order formally suspending the Award under the New York Convention, pursuant to the All Writs Act, is denied without prejudice.

SO ORDERED.

Dated: June 6, 2025
New York, New York


LEWIS J. LIMAN
United States District Judge